

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### MAY 03, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, May 03, 2010. The Meeting convened at 1:12 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER (S):** The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Howard Shook presided during a portion of the meeting.

**Attendance:**

The following (14) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory L. Young, Jr.</b>	<b>The Honorable Keisha Bottoms</b>
<b>The Honorable Natalyn Archibong *2:15</b>	<b>The Honorable Joyce Sheperd</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Michael J. Bond *3:36</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable Aaron Watson *2:16</b>
<b>The Honorable Yolanda Adrean</b>	<b>The Honorable H. Lamar Willis *1:22</b>

*Councilmember Cleta Winslow was absent.*

**\*Arrival Time:** - indicates arrival after convening roll call.

**INVOCATION:** Pastor Gregory L. Pollard of Enon Baptist Church gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

**REPORT OF THE JOURNAL:** Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **April 19, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** Without Objection, the Adoption of the Agenda was Amended to move the **Finance/Executive Committee** to report as the **last Standing Committee**. The Motion to Adopt as Amended then **CARRIED** by a roll call vote of **11 yeas; 0 nays**. Therefore, the Finance/Executive Committee reported last.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 10-C-0802 ( 1)      A Communication by **Councilmember Joyce M. Sheperd** nominating Ms. Marion L. Cameron to serve as a member of the Audit Committee.  
**TABLED WITHOUT OBJECTION**
- 10-C-0803 ( 2)      A Communication by **Councilmember Aaron Watson** nominating Mrs. Nancy A. Flake Johnson to serve as a member of the Audit Committee. **(withdrew her nomination)**  
**FILED WITHOUT OBJECTION**
- 10-C-0804 ( 3)      A Communication from **Dr. R. L. White, President, Atlanta National Association for the Advancement of Colored People (NAACP) to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Dr. Marie Metze to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0817 ( 4)      A Communication from **Dr. R. L. White, President, Atlanta National Association for the Advancement of Colored People (NAACP) to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Mrs. Lorraine Jacques White to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0894 ( 5)      A Communication from **Mr. Charlie Flemming, President, Atlanta - North Georgia Labor Council (AFL-CIO), to Councilmember C. T. Martin**, submitting his willingness to serve, as the representative on behalf of (AFL-CIO), as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

## **VETOED LEGISLATION**

**Council President Ceasar C. Mitchell Presided**

**VETOED LEGISLATION**

**NONE**

## **UNFINISHED BUSINESS**

**Council President Ceasar C. Mitchell Presided**

**UNFINISHED BUSINESS**

**NONE**

# **CONSENT AGENDA SECTION I**



Council President Cesar C. Mitchell Presided

## **CONSENT AGENDA**

There was no separate discussion of the following items with the exception of items 10-O-0739 and 10-O-0740 which were removed from the Consent Agenda II, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **11 Yeas:** Councilmembers Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, and Willis: **0 Nays.**

The following CONSENT AGENDA SECTION II received a Favorable Recommendation and all items were Referred to its committee of origin in accordance with Section 11.2 by the following roll call vote: **11 Yeas:** Councilmembers Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, and Willis: **0 Nays.**

## **SECTION I**

### **ORDINANCES FOR SECOND READING**

#### **FINANCE/EXECUTIVE COMMITTEE** **YOLANDA ADREAN, CHAIR**

10-O-0393 ( 1)      An Ordinance by **Councilmember Howard Shook** to provide for the Annexation of property located at 1199 Roxboro Drive to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% Method; to authorize the Law Department to seek pre-clearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

10-O-0492 ( 2)      A **Substitute** Ordinance by **Finance/Executive Committee as Amended** to waive the Source Selection and Payment Provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Emergency Response Equipment, Maintenance and Support Services by AT&T for the period beginning May 1, 2009 through April 30, 2010; to authorize the Mayor to execute appropriate Contractual Agreements with AT&T for Maintenance and Support of the Emergency Response Equipment from May 1, 2010 through April 30, 2014 in an amount not to exceed \$1,253,952.00, all payments shall be charged to and paid from the Fund, Department Organization and Account Numbers listed; and to authorize a forty-eight (48) month Agreement with AT&T Capital Services, Inc. to finance the purchase price of the of Emergency Response Equipment from May 1, 2010 through April 30, 2014 in an amount not to exceed \$837,551.04, all payments shall be charged to and paid from the Fund, Department

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-O-0492 ( 2)  
(Cont'd)      Organization and Account Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0598 ( 3)      An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances for Parsons/EGM, JV, for FC-7568-03, Program and Construction Management Services for the Quality of Life Bond Program, by extending the term of the contract until December 31, 2010 and providing additional funds to the Sixth Term of the contract on behalf of the Department of Public Works, in an amount not to exceed \$699,674.33; all contracted work shall be charged to and paid from various FDOA Numbers; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 10-O-0595 ( 4)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor's Office of Human Services to apply for a Reimbursement Grant Award from the State of Georgia's Bright From the Start; Georgia Department of Early Care and Learning (DECAL) for the 2010 Summer Food Service Program; to proceed with the necessary steps to commence the 2010 Summer Food Service Program; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0782 ( 5)      An Ordinance by **Councilmembers C. T. Martin and H. Lamar Willis** authorizing the waiver of the Grant Applications Provisions of Section 2-910 of the Atlanta City Code in order to accept grant funds not to exceed \$15,000,000.00 dollars from the Georgia Department of Labor for the Summer Youth Work Experience Program ("Summer Work Program"); authorizing the Atlanta Workforce Development Agency ("AWDA") to accept and appropriate said grant funds for use on the Summer Work Program; amending the 2010 Budget to reflect grant funds added

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**

**JOYCE SHEPERD, CHAIR**

10-O-0782 ( 5) and appropriated; authorizing AWDA to execute the terms of the Summer Work Program consistent with the Workforce Investment Act; and for other purposes.

(Cont'd)

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR., CHAIR**

10-O-0790 ( 6) An Ordinance by **Councilmembers Keisha Lance Bottoms, Joyce M. Sheperd, H. Lamar Willis, Michael J. Bond, Ivory Lee Young, Jr., Aaron Watson, C. T. Martin, Yolanda Adrean and Kwanza Hall** to amend the City of Atlanta Code of Ordinances, Chapter 74, Article IV, Noise Control, to provide for an exemption to the Metropolitan Atlanta Rapid Transit Authority (MARTA) from the existing noise ordinance for noises resulting from construction of improvements, and maintenance, repair or renovation activities for the MARTA Rail or Bus System Facilities; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

**RESOLUTIONS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

10-R-0652 ( 1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Commissioner of the Department of Watershed Management and his designee to issue Task Orders under the Agreement in the collective amount not to exceed \$400,000.00; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers by the amounts listed; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 11 YEAS; 0 NAYS**

10-R-0749 ( 2) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$5,903.00 to DECCA Hospitality Furnishings, located at 3525 Piedmont Rd., Suite 205, Atlanta, Georgia 30305 for an overpayment of Business License Fees to the City of Atlanta.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-R-0750 ( 3)      A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$7,611.11 to National Net Inc., located at 55 Marietta Street, NW, Atlanta, GA for an overpayment of Business License Fees to the City of Atlanta; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0753 ( 4)      A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$8,964.41 to The Tween Brands, Inc. (d/b/a) Limited to #483, located at 3500 Peachtree Road, NE, Atlanta, GA 30326, for an overpayment of Business License Fees to the City of Atlanta; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0754 ( 5)      A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$72,513.60 to The Lane Construction Corporation, located at 90 Fieldstone Court, Cheshire, CT, 06410, for an overpayment of Occupational Taxes to the City of Atlanta.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0755 ( 6)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an Agreement with Dell Marketing, L.P., utilizing the State of Georgia Contract SWC90814-01 for the purchase of twelve (12) OptiPlex 780 Desktop Base, Standard PSU (224-6874) Computers with Dual Set Monitors of 24 and 30 inch Monitors and nine (9) OptiPlex 780 Desktop Base, Standard PSU (224-6874) Computers with a 24 inch Monitor on behalf of the Department of Watershed Management/Bureau of Watershed Protection in an amount not to exceed \$44,184.30; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-R-0756 ( 7)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Sole Source Purchase with iRobot, for Specialized Homeland Security Equipment, on behalf of the Department of Police, in an amount not to exceed \$184,819.00. All costs shall be charged to and paid from a Grant from the United States Department of Homeland Security and the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0757 ( 8)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Sole Source Purchase with API Defense, for Specialized Homeland Security Equipment, on behalf of the Department of Police, in an amount not to exceed \$283,150.00. \$271,875.00 shall be charged to and paid from a Grant from the United States Department of Homeland Security and the FDOA Numbers listed; and \$26,725.00 shall be charged to and paid from a separate account of the same Grant from the United States Department of Homeland Security and the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0758 ( 9)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract SWC-90819, with Ricoh Americas Corporation, for the Lease and Maintenance of two (2) Ricoh MP C6000 Copiers and two (2) Ricoh MP C3300 Copiers for a period of thirty-six (36) months, on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$67,500.00; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

10-R-0759 (10) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract SWC-90819, with Ricoh Americas Corporation, for the Lease and Maintenance of six (6) copiers for a period of five (5) years with two (2) one-year renewal options, on behalf of the Department of Human Resources, in an amount not to exceed \$116,848.60; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

10-R-0770 (11) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances utilizing State of California's Fast Open Contracts Utilization Services Contract Number 2005081 with AT&T Communication Systems Southeast to purchase Cisco Systems Smartnet Maintenance and Support Services for the E-911 Voice Over Internet Protocol Equipment for six (6) months with an effective date of May 1, 2010 and ending on October 30, 2010, in an amount not to exceed \$39,798.59; all funds to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 11 YEAS; 0 NAYS**

10-R-0775 (12) A Resolution by **Councilmembers H. Lamar Willis, Michael Julian Bond, Ivory Lee Young, Jr., C. T. Martin, Joyce M. Sheperd, Keisha Lance Bottoms, Natalyn M. Archibong and Yolanda Adrean** calling upon the Obama Administration and the United States Congress to reconsider the New Routing Rule that allows the Railroad Companies to determine the safest and most secure routes for transporting chlorine and other hazardous materials, and to amend the rule to require railroad companies to work with State and Local Officials to determine the safest and most secure routes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-R-0781 (13) A Resolution by **Councilmembers C. T. Martin, H. Lamar Willis, Natalyn M. Archibong, Keisha Lance Bottoms and Michael Julian Bond as Substituted by Finance/Executive Committee** authorizing the re-employment of Douglas Pack as Assistant Public Defender in the Department of The Public Defender for an amount not to exceed \$16,768.00 pursuant to § 3-505(c) of the Charter of the City of Atlanta; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0786 (14) A Resolution by **Councilmembers Joyce M. Sheperd, Felicia A. Moore, C. T. Martin, Michael Julian Bond, H. Lamar Willis, Keisha Lance Bottoms, Natalyn M. Archibong, Alex Wan, Yolanda Adrean, Aaron Watson, Ivory Lee Young, Jr., Kwanza Hall and Carla Smith** to support House Resolution 4812: Local Jobs for America Act, 111<sup>th</sup> U. S. Congress; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0787 (15) A Resolution by **Councilmembers C. T. Martin, H. Lamar Willis, Michael Julian Bond, Keisha Lance Bottoms, Ivory Lee Young, Jr. and Natalyn M. Archibong as Substituted by Finance/Executive Committee**, authorizing the re-employment of John R. Tate as Assistant Public Defender in the Department of The Public Defender for an amount not to exceed \$16,768.00 pursuant to § 3-505(c) of the Charter of the City of Atlanta; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0797 (16) A Resolution by **Finance/Executive Committee** to extend the Service Delivery Strategy (SDS) Agreement between the City of Atlanta and DeKalb County and its Municipalities through February 28, 2011; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

10-R-0799 (17) A Resolution by **Finance/Executive Committee** authorizing the Mayor to apply for and accept a Grant Award of Energy Consulting and Auditing Services valued at up to \$300,000.00 from the Southeast Energy Alliance Energy Savings Treasure Hunt Competition; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

10-R-0800 (18) A Resolution by **Finance/Executive Committee** authorizing the Mayor to apply for and accept Grant Funding from the Home Depot Foundation's 2010 Awards for Excellence for Sustainable Community Development; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

10-R-0620 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Wade Coots Company, Inc., for FC-4195, Annual Contract for Testing and Analysis of Large Water Meters, on behalf of the Department of Watershed Management, for time-only; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

10-R-0621 (20) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 1, for FC-4084, Valve and Hydrant Asset Assessment Program with WUS-BPA, Joint Venture, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$8,970,808.00; all contracted work shall be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 10-R-0622 (21) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute a Utility Relocation Agreement between the City of Atlanta and Georgia Power Company for the Removal, Relocation and Adjusting of Electrical and Communication Facilities owned by Georgia Power for the completion of Phase Two of the Cascade/Mays Streetscape Project in an amount not to exceed \$112,574.00 with all contracted work being charged to and paid from the Account Segment/PTAEO Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0625 (22) A Resolution by **City Utilities Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for non-conforming uses with Atlantic Station, LLC., owner of real property located on the north side of 16<sup>th</sup> Street between State Street, NW and Francis Street, NW, Atlanta, Georgia, for the purpose of permitting a portion of a presently existing boundary wall which partially extends one-third of one foot into the public right-of-way running along the north side of 16<sup>th</sup> Street for approximately 258 feet; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0626 (23) A Resolution by **City Utilities Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for non-conforming uses with John Charman, owner of real property located at 3685 Paces Ferry Road, Atlanta, Georgia, for the purpose of permitting a portion of a presently existing boundary wall which is located in the public right-of-way running along Paces Ferry Road for approximately one hundred twenty (120) feet; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

- 10-R-0637 (24) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City, to accept the donation of up to five new and/or refurbished basketball courts, one at Piedmont Park and four at other city park locations, from the Health Education and Communication Center of Atlanta in partnership with Converse, and to authorize the placement of the HOOPATLANTA and CONVERSE Logos on the New and Refurbished Basketball Courts; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0752 (25) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City, to enter into a Memorandum of Understanding with Grant Park Baseball, Inc., regarding Baseball Programming at Grant Park; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0496 (26) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the Department of Planning and Community Development, Bureau of Housing to enter into contract amendment number one with Senior Connections, Inc., for the purpose of increasing the dollar amount of the Original contract by adding \$1,000,000.00 for a revised amount not to exceed \$3,200,000.00 for the purpose of implementing the Owner Occupied Rehabilitation Program; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0640 (27) A Resolution by **Community Development/Human Resources Committee** to endorse the application of Columbia Residential, LLC, to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for the construction of Columbia Plaza Apartments, to be located at 1017 Westview Drive, SW, Atlanta, Georgia; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-R-0641 (28) A Resolution by **Community Development/Human Resources Committee** to endorse the application of Prestwick Development to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for the construction of Capitol View Senior Residences, located at 1374 Murphy Avenue, Atlanta, Georgia; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0642 (29) A Resolution by **Community Development/Human Resources Committee** to endorse the application of Project Phoenix House II, LP, to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for the redevelopment of Phoenix House, located at 1296 Murphy Avenue, Atlanta, Georgia; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0651 (30) A Resolution by **Councilmember Natalyn Archibong** authorizing the Bureau of Planning to change the lot dimensions on the City of Atlanta Cadastral Map for an improved legal, Non-Conforming Lot of Record at **816 Clifton Road**; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0783 (31) A Resolution by **Councilmember Alex Wan** authorizing the Bureau of Planning to recognize as a Non-Conforming Lot of Record, a lot located at **356 Mell Avenue, NE**, that has been created as the result of previously issued buildings permits and that presently has a house located on it.

NPU-N

Council District 6

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-R-0789 (32) A Resolution by **Councilmember Ivory Lee Young, Jr.** authorizing the Bureau of Planning to recognize as a Non-Conforming Lot of Record, a lot located at **416 Ethel Street, NW**, that has been created as the result of previously issued building permits and that presently has a house located on it.

NPU-E

Council District 3

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**IVORY L. YOUNG, JR., CHAIR**

- 10-R-0724 (33) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Settlement of all claims against the City of Atlanta in the case of State Farm Mutual Automotive Insurance Company a/s/o of Sheila Wheat v. City of Atlanta, Civil Action File No. 2009EV008674Y, in the amount of \$1,800.00; authorizing said payment to be charged to and paid from Fund 1001 (General Fund), Account 200101 (Litigation Expenses) and center Number 5212005 (Non-Departmental) and 1512000 (Functional Activity Number) authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

- 10-R-0725 (34) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to amend the scope of services with Sentinel Offender Services, LLC and enter into a second one (1) year Renewal Agreement with Sentinel Offender Services, LLC for FC-6005007967, Privatized Probation Services, a revenue generating contract; all funds generated under this contract shall be deposited into the applicable General Fund Revenue Accounts and Agency Fund Liability Accounts.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

10-R-0726 (35) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Department of Police, to apply for and accept a grant from the White House Office of National Drug Control Policy, in the amount of \$4,899,399.00, for the purpose of disrupting and dismantling illegal drug trafficking organizations; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-R-0771 (36) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the Chief Procurement Officer to utilize the State of Georgia Contract SWC-90819 with the Xerox Corporation for a blanket purchase order for the purpose of providing maintenance and leasing of copiers for a three year period on behalf of the Department of Fire Rescue in an amount not to exceed \$43,000.00 per year; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

10-R-0736 (37) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 20 to the Central Passenger Terminal Complex Lease Agreement with Delta Air Lines covering the permanent surrender to the City of Atlanta of a portion of Delta Air Lines exclusive leased premises which is located on the Apron Level of the North Terminal Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-R-0737 (38) A Resolution by **Transportation Committee** authorizing the payment of Kitty Hawk's Preference Demand pursuant to § 547 (b) of the United States Bankruptcy Code; authorizing the Chief Financial Officer to disburse an amount not to exceed \$1,500.00 from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 10-R-0738 (39) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue amendments to existing task orders under Contract No. FC-4556-A, Structural Tests and Special Inspections with ATC Associates, Inc., in an amount not to exceed \$1,629,012.00 to provide structural tests and special inspections for Fiscal Year 2010-2011 in support of the Maynard Holbrook Jackson, Jr. International Terminal at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with favorable recommendations:**

- 10-R-0653 ( 1) Claim of **Michael Bartsch**, for property damages alleged to have been sustained from flooding due to a ruptured storm drain line on September 28, 2009 at 411 Pinetree Drive, NE. **\$16,810.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**
- 10-R-0654 ( 2) Claim of **Liberty Insurance Corporation, as subrogee of Claressa B. Thompson**, for vehicular damages alleged to have been sustained from an automobile accident on August, 27, 2009 at Campbellton Road, SW and Delowe Drive, SW. **\$4,660.02**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**
- 10-R-0655 ( 3) Claim of **Joan Fulks**, for damages alleged to have been sustained as a result of a fall on a sidewalk on September 10, 2008, at 135 Auburn Avenue. **\$4,250.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**
- 10-R-0656 ( 4) Claim of **Joe Johnson**, for vehicle damages alleged to have been sustained as a result of a vehicular accident on November 2, 2009 at 2964 Moreland Avenue. **\$3,400.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0657 ( 5)      Claim of **Glenn Penn and Carolyn Peen**, for vehicular damages alleged to have been sustained as a result of driving over a pothole on May 9, 2009 at 626 DeKalb Avenue. **\$3,076.53**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0658 ( 6)      Claim of **National Casualty Company, as subrogee of Blue Bird Limousine**, for damages alleged to have been sustained as a result of a damaged catch basin on March 6, 2009 at 239 Grant Street. **\$2,963.21**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0659 ( 7)      Claim of **Michael E. Hickey**, for property damages alleged to have been sustained from an automobile accident on February 19, 2010 at Ponce de Leon Avenue, NE and Barnett Street, NE. **\$2,696.44**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0660 ( 8)      Claim of **Veronica Boyd**, for bodily injuries alleged to have been sustained from tripping on a metal grate that was protruding from the sidewalk on June 17, 2009 at 41 Marietta Street, NW. **\$2,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0661 ( 9)      Claim of **Kenya Plummer**, for damages alleged to have been sustained as a result of a vehicular accident on January 12, 2010 at Northside Drive at Collier Road. **\$2,468.79**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0662 (10)      Claim of **Progressive Insurance Company, as subrogee of Ricky Lumpkin**, for damages alleged to have been sustained as a result of a vehicular accident on October 14, 2009 at Northside Drive at Longwood Drive. **\$2,148.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0663 (11) Claim of **Lois Peart**, for damages alleged to have been sustained as a result of a trip and fall on a pothole in the roadway on May 20, 2009 at 51 Broad Street. **\$2,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0664 (12) Claim of **Heidi and Michael S. Spingler**, for damages alleged to have been sustained as a result of an automobile accident on December 22, 2009 at Howell Mill Road, NW and Collier Road, NW. **\$1,932.30**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0665 (13) Claim of **State Farm Insurance Company, as subrogee of Lenore Conroy**, for damages alleged to have been sustained as a result of a vehicular accident on December 1, 2009 at 1200 Howell Mill Road. **\$1,866.20**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0666 (14) Claim of **Constance Sapp**, for damages alleged to have been sustained during a street resurfacing project on November 3, 2009 at 376 Nelson Street. **\$1,775.62**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0667 (15) Claim of **Michael D. Hall and Ernestine C. Curry and Joi Curry**, for property damages alleged to have been sustained from an automobile accident on February 8, 2010 at Donald Lee Hollowell Parkway, NW and Joseph E. Lowery Boulevard. **\$1,773.28**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0668 (16) Claim of **Clarence Jones**, for damages alleged to have been sustained as a result of striking a pothole on January 29, 2010 at 2848 Lenox Road. **\$1,635.87**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0669 (17) Claim of **Tobin Brittian**, for damages alleged to have been sustained during a street resurfacing project on December 4, 2009 at 376 Nelson Street. **\$1,625.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0670 (18) Claim of **Jermaine Elliott**, for vehicular damages alleged to have been sustained as a result of driving over a recessed catch basin on September 1, 2009 at 1339 Pryor Road. **\$1,320.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0671 (19) Claim of **Thomas P. Cuyler**, for property damages alleged to have been sustained from an automobile accident on October 12, 2009 at 902 Donald Lee Hollowell Parkway. **\$1,284.43**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0672 (20) Claim of **Kenneth Boyd**, for damages alleged to have been sustained as a result of a vehicular accident on October 1, 2009 at Oak Street and Lee Street. **\$1,274.42**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0673 (21) Claim of **Anthony F. Gilbert and Emma Gilbert**, for property damages alleged to have been sustained from an encroachment incident during a road repaving project in August 2009 at 4633 Tell Road, SW. **\$1,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0674 (22) Claim of **Jillian Cecere**, for property damages alleged to have been sustained due to an automobile accident on November 12, 2009 at 169 Woodbine Avenue. **\$992.23**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0675 (23) Claim of **Andrienne Froemelt and Marc Froemelt**, for vehicular damages alleged to have been sustained after driving over a pot hole on December 9, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW. **\$977.17**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0676 (24) Claim of **William Darnell, WTD Holdings, Inc.**, for vehicular damages alleged to have been sustained after driving over a pot hole on October 10, 2009 at 150 Polo Drive. **\$770.43**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**
- 10-R-0677 (25) Claim of **Charles S. Ware, Jr.**, for damages alleged to have been sustained as a result of an automobile accident on September 2, 2009 at Highway 138 and McDonough Street, Clayton County. **\$647.71**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

- 10-R-0678 (26) Claim of **Terrence Billings**, for damages alleged to have been sustained as a result of striking a damaged manhole on January 30, 2010 on Marietta Road, NW. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0679 (27) Claim of **Patricia Wilkins**, for damages alleged to have been sustained as a result of walking into an uncovered water meter on April 29, 2009 at 1437 Campbellton Road. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0680 (28) Claim of **Adria Negelow**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 27, 2009 at North Druid Hills near Knob Hill Drive. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0681 (29) Claim of **Monica Mack**, for damages alleged to have been sustained as a result of driving over a pothole on December 19, 2009 at Memorial Drive and Clifton Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0682 (30) Claim of **Faith Maddox, individually and next friend to Shaunsai Taylor and Tywuan Maddox, minor children, through her attorney, Nicol J. Hanyard**, for damages alleged to have been sustained as a result of striking an open construction cut on August 10, 2009 on Whitefoord Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0683 (31) Claim of **Russell Lambros, through his attorney, Michael Rubin**, for damages alleged to have been sustained as a result of an automobile accident on December 21, 2009 at 400 Oakdale Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0684 (32) Claim of **Herschel T. Young, Sr.**, for property damages alleged to have been sustained when petrified wood was removed during a sanitary sewer rehabilitation project in January 2010 at 3339 Pamlico Drive, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0685 (33) Claim of **Mary Booker and Reginald Booker**, for damages alleged to have been sustained as a result of driving over a pothole on December 19, 2009 at Clifton Street and Memorial Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0686 (34) Claim of **Stacy E. Clay and Steven Ray Green**, for damages alleged to have been sustained as a result of a sewer back up on December 18, 2009 at 1746 Flagler Avenue, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0687 (35) Claim of **Francine Redmond, through her attorney, James Greason**, for vehicular damages alleged to have been sustained as a result of a vehicular accident on June 24, 2009 at Moreland Avenue at Custer Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0688 (36) Claim of **Rhonda Levitt**, for damages alleged to have been sustained as a result of a sewer back up on January 24, 2010 at 300 Continental Colony Parkway, SW Apartment F-150.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0689 (37) Claim of **Minnie Carey, through her attorney, Robert Ortman, Attorney at Law**, for damages alleged to have been sustained from an arrest on March 26, 2009 at 371 Boulevard, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0690 (38) Claim of **Luciane Anderson**, for damages alleged to have been sustained as a result of a water service account dispute between April 2009 and January 28, 2010 at 1269 Richland Road, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0691 (39) Claim of **Carolyn Griller, through her attorney, Rita Tucker Williams, Esq., Williams & Associates, P.C.**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on May 12, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0692 (40) Claim of **Helena Gray**, for bodily injuries alleged to have been sustained from a fall on the escalators on December 17, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0693 (41) Claim of **Barbara Ray, through her attorney, Steven J. Jackson, Attorney at Law**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on January 29, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0694 (42) Claim of **Marcus Eugene Davis**, for damages alleged to have been sustained from an undescribed event on an unspecified date at an unspecified location.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0695 (43) Claim of **Laran D. Miles**, for damages alleged to have been sustained as a result of a water service account dispute on September 11, 2009 at 1420 Wichita Drive, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0696 (44) Claim of **Athens Regional Medical Center, for services provided to Troy Powers, through its attorney, Robert N. Elkins, Esq., Fortson, Bentley and Griffin**, for damages alleged to have been sustained for medical services rendered to an inmate who was in the custody of City officials from October 10, 2009 through October 15, 2009  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0697 (45) Claim of **Frederika Davis, wife of deceased Arnell Davis, through her attorney, Jeffrey Kowalski**, for damages alleged to have been sustained as a result of the lag in response time to an emergency call on April 22, 2009 at an undisclosed location.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0698 (46) Claim of **Sandra McCune, through her attorney, Derek Welch**, for damages alleged to have been sustained as a result of a slip and fall on August 30, 2009 at an undisclosed location.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0699 (47) Claim of **Michael Moebes, through his attorney, Gregory Parent**, for damages alleged to have been sustained as a result of storm water overflow on September 21, 2009 at 915 Teton Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0700 (48) Claim of **Shaconda Pullen**, for damages alleged to have been sustained as a result of driving over a pothole on July 13, 2009 at Memorial Drive near Interstate 20 East.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0701 (49) Claim of **Jesse Mace, through his attorney, T. K. Read**, for damages alleged to have been sustained as a result of an automobile accident on November 2, 2009 at Boulevard, SE at Interstate 20 East ramp.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0702 (50) Claim of **Jemmeka Harris**, for damages alleged to have been sustained as a result of driving over a pothole on January 22, 2010 at Camp Creek Parkway and Princeton Lake Road, East Point.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0703 (51) Claim of **Margaret McClure**, for vehicular damages alleged to have been sustained when a tree stump rolled and struck a parked vehicle during a tree removal project on February 15, 2010 at 67 Brighton Road, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0704 (52) Claim of **Mindy Gellman**, for property damages alleged to have been sustained when water lines were severed during a sidewalk installation project in December 2009 at 1354 Lansing Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0705 (53) Claim of **Gwendolyn Lawyer**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on April 23, 2009 at 3201 Martin Luther King, Jr. Drive, SW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0706 (54) Claim of **Lisa Thompson**, for bodily injuries alleged to have been sustained from a fall on February 6, 2010 at 395 Piedmont Avenue, NE (Atlanta Civic Center).  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0707 (55) Claim of **Sean Roach**, for bodily injuries alleged to have been sustained by third parties on September 6, 2009 at Piedmont Park, 1073 Piedmont Avenue, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0708 (56) Claim of **Willie Paul Stogner**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was left in an unsafe manner on February 18, 2010 at 3325 Piedmont Road, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0709 (57) Claim of **Jeffrey McIntyre**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on June 19, 2009 at 2171 Cheshire Bridge Road, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0710 (58) Claim of **Elena Pesavento**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on January 29, 2010 at 116 Ponce de Leon Avenue and Piedmont Avenue, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0711 (59) Claim of **Amber Jefferson**, for vehicular damages alleged to have been sustained from driving over a metal rod in the road on December 13, 2009 at 3534 Herschel Road, College Park, Georgia.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0712 (60) Claim of **Michael Ellis, through his attorneys, Martin & Jones**, for property damages alleged to have been sustained from storm sewer overflows on November 10, December 2, 18, 25, 2009 and January 16, 24, 2010 at 1558 Mary George Avenue, NW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0713 (61) Claim of **Renard Owens**, for vehicular damages alleged to have been sustained from a pothole on May 2, 2009 at West Peachtree Street and 7<sup>th</sup> Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0714 (62) Claim of **SafeAuto Insurance, as subrogee of Carolyn McCleod**, for vehicular damages alleged to have been sustained after driving over a pothole in the roadway on November 9, 2009 at an unspecified location on Clairmont Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0715 (63) Claim of **Melanie Bell, through her attorney, Thomas M. West, Attorney at Law**, for bodily injuries alleged to have been sustained from an automobile accident that occurred due to a malfunctioning pedestrian traffic light on July 30, 2009 at Ponce de Leon Place, NE and Ponce de Leon Avenue, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0716 (64) Claim of **Kevin J. Wright**, for damages alleged to have been sustained after backing into a mailbox on June 29, 2009 at 814 Lynhurst Drive, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0717 (65) Claim of **ADI Financial Services, Inc., through their attorney, John Ayoub, Esq., Ayoub & Mansour, LLC**, for damages alleged to have been sustained due to a breach of contract regarding recovery of revenue funds owed to the City on June 13, 2007 at 55 Trinity Avenue, SW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0718 (66) Claim of **Bobby E. Long**, for property damages alleged to have been sustained when a tree fell and broke two fences and damaged existing landscaping on September 17, 2009 at 1584 Anita Place.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0719 (67) Claim of **Travelers Insurance Company, as subrogee of Lashone & Willie Harris**, for damages alleged to have been sustained as a result of an automobile accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0720 (68) Claim of **Mamye Lane**, for damages alleged to have been sustained as a result of trash collection in August 2009 at 2026 Kimberly Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0721 (69) Claim of **Helen Hinson**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on October 29, 2009 at 2166 Peachtree Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-0722 (70) Claim of **Robin Scott-Benton**, for bodily injuries alleged to have been sustained from an automobile accident on May 21, 2009 at 6000 S. Terminal Parkway.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0723 (71)      Claim of **GEICO Insurance Company, as subrogee of Lance Willis**, for damages alleged to have been sustained as a result of striking a roadway median on June 25, 2009 at Bakers Ferry Road at Camp Creek Parkway.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

# **CONSENT AGENDA SECTION II**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**FINANCE/EXECUTIVE COMMITTEE**  
**YOLANDA ADREAN, CHAIR**

**All items on Consent Agenda II (03 through 31 as follows) were Referred to the appropriate committees as a collective vote.**

10-O-0739 ( 1)      An Ordinance by **Finance/Executive Committee** Adopting the FY2011 Proposed Budget; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore.**

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

10-O-0740 ( 2)      An Ordinance by **Finance/Executive Committee** Adopting the FY'11 Capital, Special Revenue and Fiduciary Funds, for the City of Atlanta; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore.**

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

10-O-0741 ( 3)      An Ordinance by **Finance/Executive Committee** to close-out the Series 1990 and Series 1994 Airport Construction Fund by transferring all excess project appropriations from the Construction Fund to the Sinking Fund for the payment of any Arbitrage Rebate Liability on the Series 1990 and Series 1994 Bonds and for the payment of Debt Service on outstanding Airport General Revenue Bonds; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-O-0742 ( 4)      An Ordinance by **Finance/Executive Committee** amending the Fiscal Year 2010 (Aviation Funds) Budget by transferring appropriations from the Airport Passenger Facility Charge Fund (5505) to the Airport FAC Revenue Bond Sinking Fund (5513) in the amount of \$23,100,000.00 for the purpose of funding Debt Service Charges associated with the Maynard Holbrook Jackson, Jr. International Terminal at the Hartsfield-Jackson Atlanta International Airport; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**  
**YOLANDA ADREAN, CHAIR**

- 10-O-0743 ( 5)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (Intergovernmental Fund) Budget by adding to anticipations and appropriations in the amount of \$2,871,340.16 for funding received from the Federal Emergency Management Agency for damage to City-Owned Property caused by flooding which occurred as a result of heavy rainfall beginning September 18, 2009; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0744 ( 6)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (Airport Renewal and Extension Fund) Budget to anticipate and appropriate Transportation Security Administration ("TSA") Grant Funds in the amount of \$7,877,381.06 for the TSA's share of MOA # HSTS04-04-A-DEPO53, for the payment of Principal on the City of Atlanta Airport Passenger Facility Charge and Subordinate Lien Revenue Bonds, Series 2004D-1 and Series 2004D-2 issued to pay Capital Costs for the Installation and Operation of Explosive Detection System in an "In-Line" Baggage System at the Hartsfield-Jackson Atlanta International Airport; to reimburse the Airport Renewal and Extension Fund for Capital Costs; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0745 ( 7)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (2004 Water and Wastewater Bond Fund, Fund 5058) Budget by adding to anticipations and appropriations in the amount of \$5,000,000.00 to record the refund of certain funds from the Atlanta BeltLine, Inc. ("ABI") due to project under runs for the Clear Creek Combined Sewer Basin Relief Project, per the Intergovernmental Agreement between the City of Atlanta and ABI; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**  
**YOLANDA ADREAN, CHAIR**

- 10-O-0746 ( 8)      An Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Transportation Enhancement Funds in the amount of \$125,000.00 for the purpose of funding Construction Expenses for the Cascade Mays Streetscape Project; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0747 ( 9)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to establish a Solid Waste Renewal and Extension Fund; to establish the flow of funds; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0748 (10)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to write off Department of Watershed Management Water and Wastewater Accounts Receivable in the amount of \$504,121.22, where it has been determined that such accounts are uncollectible; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0795 (11)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute the First Amendment to the Installment Sale Agreement between the City of Atlanta and Georgia Municipal Association, Inc. dated November 1, 1998; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0796 (12)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute the First Supplemental Indenture of trust to amend the Indenture of Trust executed in connection with the issuance of the Tax Allocation Bonds (Princeton Lakes Project), Series 2006 (The "Princeton Lakes Bonds"); and for certain other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-O-0798 (13) An Ordinance by **Finance/Executive Committee** to amend Ordinance 09-O-1802 authorizing the Chief Financial Officer to establish a Trust Fund Account for a reception honoring Atlanta City Councilmember Jim Maddox; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 10-O-0627 (14) An Ordinance by **Community Development/Human Resources Committee** to amend Article III of the Atlanta Housing Code of 1987, Appendix "E" of the City of Atlanta Land Development Code, entitled "Administrative In Rem", so that any order of the In Rem Review Board shall be as standing order for two years from the date of the order; so as to allow the Director of the Bureau of Code Compliance to ensure continued compliance with the order by carrying out same from time to time as necessary; so as to allow the director to file additional liens for costs incurred in ensuring compliance with the order; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0628 (15) An Ordinance by **Community Development/Human Resources Committee** to amend Section 18 of the Atlanta Housing Code of 1987 and Section 8-2094 of the Atlanta Commercial, Institutional, & Industrial Building Maintenance Code so as to provide a new Minimum Penalty Schedule for code violations; so as to provide a new Fee Schedule for initial and subsequent inspections to determine if such violations exist and/or have been corrected; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-O-0629 (16) An Ordinance by **Community Development/Human Resources Committee** amending the Atlanta Code of Ordinances Section 46-38 to increase certain rates for rental of the Boisfeuillet Jones Atlanta Civic Center; and to direct that the revenue from the rate increases be deposited into the accounts set forth herein; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0630 (17) An Ordinance by **Community Development/Human Resources Committee** authorizing funding for various grant positions under the 2010 Community Development (CDBG) Budget, 2010 Emergency Shelter Grant (ESG) Budget, 2010 Home Investment (HOME) Budget and the 2010 Housing Opportunities for Persons with AIDS (HOPWA); and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0631 (18) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$2,085,679.00 and by amending the 2010 (HOME Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$300,000.00 for the purpose of funding various projects assigned to the Department of the Mayor, Office of Human Services that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-O-0632 (19) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$155,683.00 to increase the budget amount authorized by the U.S. Department of Housing and Urban Development ("HUD") for the City of Atlanta's Section 8 Moderate Rehabilitation Program for Washington Properties; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0633 (20) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$326,784.00 to increase the budget amount authorized by the U.S. Department of Housing and Urban Development ("HUD") for the City of Atlanta's Section 8 Moderate Rehabilitation Program for Edgewood Center; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0634 (21) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$3,409,503.00 and the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$272,352.00 for the purpose of funding various projects assigned to the Department of Finance, Department of Watershed Management, and the Department of Parks, Recreation and Cultural Affairs that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidate Plan; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-O-0635 (22) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$2,531,658.00 and by amending the 2010 (Home Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$3,589,441.00 for the purpose of funding various projects assigned to the Department of Planning and Community Development that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidate Plan; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

- 10-O-0636 (23) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$6,761,648.00 for the purpose of funding various Housing Opportunities for Persons with AIDS (HOPWA) projects assigned to the Department of the Mayor, Office of Human Services, that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**  
**C. T. MARTIN, CHAIR**

- 10-O-0734 (24) An Ordinance by **Transportation Committee** authorizing the Mayor or his designee to increase the Ambulance Transportation Fees to \$700.00 for the purpose of transportation services rendered by Airport Fire Medical Units at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 10-O-0735 (25) An Ordinance by **Transportation Committee** to correct certain scrivener's errors that were contained in the text of Atlanta City Council Ordinance No. 09-O-0765 Adopted by the Atlanta City Council on July 20, 2009, with respect to City Code Sections 150-88 and 150-131 resulting in said sections being incorrectly set out in both the electronic and non-electronic published versions of the City of Atlanta Code of Ordinances; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR, CHAIR**

- 10-O-0728 (26) An Ordinance by **Public Safety and Legal Administration Committee** to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts Holding Permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

- 10-O-0729 (27) An Ordinance by **Public Safety and Legal Administration Committee** amending Chapter 78, Article III, Section 78-57, Subsection (b), of the Code of Ordinances of the City of Atlanta, on behalf of the City of Atlanta Fire Rescue Department, for the purpose of increasing existing Fire Inspection Fees, Fire Plan Review Fees and Fire Permit Fees, establishing authorized Fire Inspection Fees, Fire Plan Review Fees and Fire Permit Fees; and for other purposes. (To be advertised for Public Hearing)

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR, CHAIR**

- 10-O-0730 (28)      An Ordinance by **Public Safety and Legal Administration Committee** amending the FY2010 (Trust Fund) Budget for the City of Atlanta Municipal Court, Community Court Division ("Community Court"), by adding a donation from the Board of Directors of the Community Court/Restorative Justice Center, Inc., for the purpose of supporting the operating costs of the non-profit organization within the Community Court; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0731 (29)      An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipations and appropriations, in the amount of \$192,977.28, for Grant Funds from the United States Department of Homeland Security, for the purpose of increasing the Department's preparedness capabilities for the safety and security of high-priority pre-designated Critical Infrastructure and Key Resource ("CI/KR") Assets; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-0732 (30)      An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipations and appropriations, in the amount of \$194,000.00, for grant funds from the United States Department of Homeland Security, for the purpose of increasing the Department's preparedness capabilities for the safety and security of high-priority pre-designated Critical Infrastructure and Key Resource ("CI/KR") Assets; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR, CHAIR**

- 10-O-0733 (31)      An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, in the amount of \$4,899,399.00, for Grant Funds, from the White House Office of National Drug Control Policy ("ONDCP"), for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area ("HITDA") Task Force; to disrupt and dismantle Drug Trafficking Organizations; and for other purposes.
- REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

## **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the April 27, 2010 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Hall, Adrean, Watson and Smith

Absent: Councilmember Shook

**RESOLUTIONS**

10-R-0623 ( 1) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Arcadis/Bindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services for Water Facility Locating Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,400,000.00; all work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**Note: Councilmembers Kwanza Hall and Yolanda Adrean stated for the record their abstention to Resolution 10-R-0623 was due to a potential conflict of interest.**

**ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS; 2 ABSTENTIONS**

10-R-0624 ( 2) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Atlanta Services Group, a Joint Venture, for FC-4906B, Architectural, Engineering and Design Services – Watershed Improvement Project – Water Tank Painting & Structural Repair, Hemphill Finished Water Pumping Station and Automation Hemphill/Chattahoochee Water Treatment Plants, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,003,808.00; all work will be charged to and paid from the Fund, Department Organization and Account Numbers and PTAE0 Numbers listed; and for other purposes.

**Note: Councilmember Kwanza Hall stated for the record his abstention to Resolution 10-R-0624 was due to a potential conflict of interest.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS; 1 ABSTENTION**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)**  
**JOYCE SHEPERD, CHAIR**

Attendance at the April 27, 2010 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Young and Hall

Absent: Councilmembers Bond and Winslow

**ORDINANCE FOR SECOND READING**

10-O-0778 ( 1) An Ordinance by **Councilmember Kwanza Hall** to amend Chapter 2 (Administration), Article XVI (Boards, Councils, Commissions and Authorities), Division 5 (Advisory Committee on International Relations [ACIR]), Section 2-1981 (a)(2) (Established, Composition) of the Code of Ordinances of the City of Atlanta, Georgia so as to allow the President of the Council, in addition to appointing one (1) member of the Council who shall serve as chairperson of ACIR, the discretion to appoint other members of the Council as non-voting members of ACIR; to waive conflicting ordinances; and for other purposes.  
**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**ITEM REMOVED FROM HELD PAPERS**

10-O-0392 ( 1) An Ordinance by **Councilmember Howard Shook** to amend the Land Use Element of the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to designate property located at **1199 Roxboro Drive** to the Single-Family Residential Land Use Classification; and for other purposes. **(Held 2/23/10) (Public Hearing held 3/8/10)**

**Ordinance 10-O-0392 was removed from Held Status by request of Councilmember Howard Shook. Mr. Shook was then recognized and made a Motion to Adopt. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**  
**IVORY L. YOUNG, JR, CHAIR**

Attendance at the April 27, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Bottoms, Adrean, Sheperd and Archibong

Absent: Councilmember Willis

**The Standing Committee of Public Safety and Legal Administration did not have a report.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the April 28, 2010 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Bottoms, Moore, Archibong, Smith and Bond

Absent: Councilmember Willis

**RESOLUTION**

**Council President Pro Tempore Howard Shook presided a portion of the discussion**

10-R-0777 ( 1) A Resolution by **Councilmember Kwanza Hall** to request that the City of Atlanta and Parkatlanta Mutually Agree to a Moratorium on Parking Enforcement by ParkAtlanta; and for other purposes.

**Councilmember Hall sounded the caption to Resolution 10-R-0777 and offered a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. An extensive discussion ensued, during which, Councilmember Adrean offered Amendment #1/#1 amending the 8<sup>th</sup> Whereas Clause by removing "and residential permit parking enforcement" from the second line. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Following, Councilmember Hall made a Motion to Adopt on Substitute as Amended. It was Seconded by Councilmember Moore and CARRIED by a roll call vote of 14 yeas; 0 nays.**

**ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the April 28, 2010 meeting of the Zoning Committee was as follows:

Present: Councilmembers Watson (Chair), Young, Shook and Bottoms

Absent: Councilmembers Winslow and Smith

**SUMMARY REPORT ITEMS**

10-O-0314 ( 1)  
Z-10-01      An Ordinance by **Councilmember Michael Bond as Substituted by Zoning Committee** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the Use Chart for SPI-11 Vine City & Ashby Station Special Public Interest District Regulations so as to provide that pawn shops are not permitted uses within sub-areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; to provide a definition for such use; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0391 ( 2)  
Z-10-03      An Ordinance by **Councilmember Howard Shook** to zone property located at **1199 Roxboro Drive** to the R-3 Single Family Residential District; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**The following ordinances (03 through 06 as follows) were taken as a collective vote.**

10-O-0323 ( 3)  
U-10-04      An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-10.005 (1) (f) for broadcasting towers for radio communications, property located at **1955 Monroe Drive, N.E.** property located to the rear of 1925 Monroe Drive with approximately 660 feet of frontage along Monroe Drive. Depth: approximately 200 feet; Area: 5.55 acres; Land Lot 57, 17<sup>th</sup> District, Fulton County, Georgia. Applicant: Christopher J. Caragher; Owner: American National Red Cross; NPU-F Council Districts 6 and 11.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**

**AARON WATSON, CHAIR**

**SUMMARY REPORT ITEMS (CONT'D)**

- 10-O-0405 ( 4)  
U-10-06      An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-12.005 (1) (e) for broadcasting towers and line-of-site relay devices for telephonic, radio or television communications, property located at **949 Confederate Avenue, S.E.**, fronting approximately 50 feet on the southwest side of Confederate Avenue at the CSX Railway. Depth: varies; Area: 0.59 acres; Land Lot 23, 14<sup>th</sup> District, Fulton County, Georgia. Applicant: T-Mobile South, LLC C/O Lannie Greene; Owner: Crown Castle C/O Paul Rehm; NPU-W Council District 1.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-O-0025 ( 5)  
Z-09-28      An **Amended** Ordinance by **Zoning Committee** to rezone property from RLC-C (Residential Limited Commercial-Conditional) District to RLC-C (Residential Limited Commercial-Conditional) District, property located at **2867 Piedmont Road, NE**, for the purpose of a change in conditional. Property fronts approximately 116.35 feet on the east side of Piedmont Road at the southeast corner of Elliott Circle and Piedmont Road. Depth: approximately 362 feet; Area: approximately 0.502 acre; Land Lot: 47, 17<sup>th</sup> District, Fulton County, Georgia; Owner: Soon R. Hoh; Applicant: Soon R. Hoh; NPU-B Council District 7.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-O-0045 ( 6)  
Z-09-45      An **Amended** Ordinance by **Zoning Committee** to rezone property from R-4 (Single Family Residential) to C-1-C (Community Business-Conditional), property located at **10 Moreland Avenue, N.E. and 1187 Hosea L. Williams, Drive, N.E.** fronting approximately 50 feet on the south side of Hosea L. Williams Drive, beginning 90 feet from the southeast corner of Moreland Avenue. Depth: approximately 169.51 feet; Area: approximately 0.194 acre; Land Lot 208, 15<sup>th</sup> District, DeKalb County, Georgia. Owner: Sugarman Abney Development, LLC; Applicant: Eric J. Kronberg; NPU-O Council District 5.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**

**AARON WATSON, CHAIR**

**SUMMARY REPORT ITEMS (CONT'D)**

10-O-0321 ( 7)      An Ordinance by **Zoning Committee** granting a Special Use  
U-10-02      Permit pursuant to Section 16-06.005 (1) (g) for a Personal Care  
Home, property located at **168 Brownlee Road, S.W.**, fronting  
approximately 50 feet on the east side of Brownlee Road. Depth:  
approximately 150 feet; Area: 0.17 acres; Land Lot 244, 14<sup>th</sup>  
District, Fulton County, Georgia. Applicant: Harold Preciado;  
Owner: Harold Preciado; NPU-H Council District 10.  
**FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**ORDINANCE FOR SECOND READING**

10-O-0322 ( 1)      An Ordinance by **Zoning Committee** granting a Special Use  
U-10-03      Permit pursuant to Section 16-05.005 (l)(g) for a Personal Care  
Home, property located at **1681 Delowe Drive, SW**, fronting  
approximately 90 feet on the west side of Delowe Drive.

Depth:              Approximately 200 Feet  
Area:                0.41 Acre  
Land Lot:          185, 14<sup>th</sup> District, Fulton County, Georgia  
Applicant:        Keisha D. Reed  
Owner:             Daniel Reed  
NPU-R              Council District 11

**FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (4)**

**AARON WATSON, CHAIR**

**ORDINANCES FOR FIRST READING**

**All items for First Reading (01 through 04 as follows) were Referred to the Zoning Review Board and Zoning Committee as a collective vote.**

10-O-0646 ( 1)  
Z-10-07      An Ordinance by **Zoning Committee** to rezone property from the R-5 (Two-Family Residential) District to the PD-H (Planned Development-Housing) District property located at **943 Cherokee Avenue, SE**, fronting approximately 97 feet on the west side of Cherokee Avenue at the southwest corner of Kendrick Avenue.

Depth:            Approximately 137 Feet  
Area:             Approximately 0.28 Acre  
Land Lot:        42, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Brett and Charles Smith and Paul Saros  
Applicant:       Eric J. Kronberg  
NPU-W           Council District 1

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0647 ( 2)  
Z-10-08      An Ordinance by **Zoning Committee** to rezone property from the C-1 (Community Business) District to the C-2 (Commercial Service) District property located at **2443 Memorial Drive, SE**, fronting approximately 225 feet on the east side of Memorial Drive, beginning 225 feet from the southeast corner of Third Street.

Depth:            Approximately 200 Feet  
Area:             Approximately 0.98 Acre  
Land Lot:        181, 15<sup>th</sup> District, DeKalb County, Georgia  
Owner:           Marion L. Cooper  
Applicant:       Michael A. Edy  
NPU-O           Council District 5

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (5)**

**AARON WATSON, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

10-O-0648 ( 3)  
Z-10-09      An Ordinance by **Zoning Committee** to rezone property from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District property located at **972 Berne Street and 610 Vernon Avenue, SE**, fronting approximately 50 feet on the north side of Berne Street, beginning approximately 223 feet from the northeast corner of Vernon Avenue.

Depth:            Approximately 349 Feet  
Area:             Approximately 1.68 Acres  
Land Lot:        11, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Beulam Heights University  
Applicant:       Michael A. Haponski  
NPU-W           Council District 1

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0649 ( 4)  
U-10-14      An Ordinance by **Zoning Committee** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g), property located at **3056 Embry Way, SE**, fronting approximately 97 feet on the west side of Embry Way and approximately 55 feet on the south side of Alyson Court.

Depth:            Varies  
Area:             Approximately .0213 Acre  
Land Lot:        62, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Amrose Filicia Tandongor  
Applicant:       Amrose Filicia Tandongor  
NPU-Z           Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**

**FELICIA A. MOORE, CHAIR**

Attendance at the May 03, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Wan, Hall, Sheperd and Bond

Absent: Councilmember Winslow

**The following communications (01 through 17 as follows) were Confirmed as a collective vote.**

**COMMUNICATIONS**

- 10-C-0508 ( 1) A Communication by **Councilmember Keisha Lance Bottoms** appointing Ms. Kellye D. Terrell to serve as a member of the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Held 4/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0519 ( 2) A Communication by **Council President Ceasar C. Mitchell** appointing Mr. Joe Hindsley to serve as a member on the Xernona Clayton Commission. **(Held 4/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0605 ( 3) A Communication by **Council President Ceasar C. Mitchell** appointing Mr. Walter D. Andrews to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0606 ( 4) A Communication by **Councilmembers Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3-At-Large** re-appointing Mr. David Coleman to serve as a member of the Zoning Review Board. This re-appointment is for a term of two (2) years, scheduled to begin retroactive to 11-19-09. **(Favorable by Zoning Committee 4/28/10)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0607 ( 5) A Communication by **Councilmembers Natalyn Archibong, District 5; Alex Wan, District 6 and Aaron Watson, Post 2-At-Large** appointing Ms. Bahareh Azizi to serve as a member of the Zoning Review Board. This appointment is for a term of two years, scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 4/28/10)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (2)**

**FELICIA A. MOORE, CHAIR**

**COMMUNICATIONS (CONT'D)**

- 10-C-0615 ( 6)      A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3- At-Large** appointing Ms. Andrea L. Boone to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0616 ( 7)      A Communication from **Ms. LaChandra Butler Burks, Chair, Atlanta Board of Education to Municipal Clerk Rhonda Dauphin Johnson**, submitting the Board's nomination of Ms. Brenda J. Muhammad to serve as a member on the Atlanta BeltLine Tax Allocation District (TAD) Affordable Housing Board. This appointment is to fill an unexpired term of Mr. Eric W. Wilson to expire on April 30, 2011. **(Favorable by CD/HR Committer 4/27/10)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0760 ( 8)      A Communication **from Mark Massey, Clerk to the Fulton County Board of Commissioners, to Council President Ceasar C. Mitchell**, submitting the Board's nomination of Ms. Cora Dunston (Position 1) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by CD/HR Committer 4/27/10)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0761 ( 9)      A Communication by **Councilmember C. T. Martin** appointing Ms. Louversia L. Wiggins to serve as a member of the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0762 (10)      A Communication **from Mr. Joseph E. Lowery, Convenor, Coalition for the People's Agenda, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Reverend James Milner to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (3)**

**FELICIA A. MOORE, CHAIR**

**COMMUNICATIONS (CONT'D)**

- 10-C-0763 (11) A Communication from **Mr. Joseph E. Lowery, Convenor, Coalition for the People's Agenda, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Ms. Helen Butler to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0766 (12) A Communication from **Judge Paul L. Brady, Xernona Clayton Family Representative, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Ms. Na'eema Rashad to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0767 (13) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2-At-Large** appointing Mr. Doug Shipman to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0769 (14) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2-At-Large** appointing Ms. Natasha K. Berry to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-C-0791 (15) A Communication by **Councilmembers Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael J. Bond, Post 1-At-Large** appointing Ms. Alice Johnson to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (4)**

**FELICIA A. MOORE, CHAIR**

**COMMUNICATIONS (CONT'D)**

10-C-0793 (16) A Communication **from Mrs. Cleo Orange, Wife of the Late Reverend James Orange, to Municipal Clerk Rhonda Dauphin Johnson, as Amended by Committee on Council**, submitting the name of her son, Mr. Cleon Orange, on behalf of the family, to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-C-0794 (17) A Communication **from Ms. Deborah Scott, Executive Director, Georgia Stand-Up, to Municipal Clerk Rhonda Dauphin Johnson**, submitting her name, on behalf of Georgia Stand-Up, to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**ORDINANCE FOR SECOND READING**

10-O-0415 ( 1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 01C, 01S, 02A, 02J, 03C, 03H, 05B, 08E, 09F, 10P, 11A1, 11A2, 11A3 and 11N to make permanent or temporary relocations as a result of unavailability of voting facility, scheduled or completed renovations; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (1)**  
**YOLANDA ADREAN, CHAIR**

Attendance at the April 28, 2010 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Martin, Moore, Shook, Watson and Wan

Absent: Councilmember Willis

**ORDINANCE FOR SECOND READING**

10-O-0503 ( 1) An Ordinance by **Councilmember Ivory Lee Young, Jr. as Substituted and Amended by Full Council, as Substituted(#2) by Finance/Executive Committee** authorizing the Lease/Purchase of the Atlanta Detention Center to Fulton County, an agreement to house City inmates in the Detention Center and the lease of court space to Fulton County; authorizing the Mayor to execute the necessary documents to effectuate the approved terms of the lease purchase of the Detention Center, the housing of City inmates in the Detention Center and the lease of the court space; and for other purposes.

**Chairperson Adrean sounded the caption to Ordinance 10-O-0503 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before Council. Following, Chairperson Adrean made a Motion to Adopt on Substitute. An extensive discussion ensued, during which, Councilmember Martin offered Amendment #1/#1 to insert at the 5<sup>th</sup> bullet point the term "in good faith" after county will... so to read as follows: "in the county will in good faith use its best efforts to return current city employees at the facility." It was properly Seconded and Martin Amendment #1/#1 CARRIED by a roll call vote of 14 yeas; 0 nays. Following, Councilmembers Willis/Moore offered Amendment #1/#2 to amend bullet point #3, under Section 1, before the first comma, to read as follows: "the city will lease to Fulton County the courtroom located in the detention center and the two courtrooms on the first floor." It was Seconded by Councilmember Moore and the Willis/Moore Amendment #1/#2 CARRIED by a roll call vote of 14 yeas; 0 nays. Thereafter, Councilmember Young made a Motion to Adopt on Substitute as Amended. It was properly Seconded and a brief discussion ensued. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 12 yeas; 1 nay; 1 abstention.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCE FOR SECOND READING (CONT'D)**

10-O-0503 ( 1)  
(Cont'd)      **Note: Councilmember Michael Bond stated for the record his abstention to Ordinance 10-O-0503 was due to a political conflict of interest.**

**ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY; 1 ABSTENTION**

**ITEMS REMOVED FROM CONSENT AGENDA II**

Council President Pro Tempore Howard Shook presided a portion of the discussion.

**The following ordinances (01 through 02 as follows) were taken as a collective vote.**

10-O-0739 ( 1)      An Ordinance by **Finance/Executive Committee** Adopting the FY2011 Proposed Budget; and for other purposes.

**The above item was removed from Consent Agenda II by request of Councilmember Moore. Chairperson Adrean then sounded the caption to Ordinance 10-O-0739 and Council President Pro Tempore Howard Shook sounded the caption to Ordinance 10-O-0740. After which, Chairperson Adrean made a Motion to Refer both Ordinances to the Finance/Executive committee. However, Councilmember Moore was recognized and made a Substitute Motion to File 10-O-0739 and 10-O-0740. It was Seconded by Councilmembers Archibong and Martin. An extensive discussion ensued, during which, Councilmember Shook Called The Question. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 2 nays. The Motion to File was then CARRIED and FAILED by a roll call vote of 2 yeas; 10 nays; 1 abstention. Another discussion ensued, in which, Councilmember Martin offered Amendment #1/#1 to both ordinances by attaching the budget document to Ordinance 10-O-0739 and attaching the Special Revenue Funds document to Ordinance 10-O-0740. It was Seconded by Councilmember Hall and Martin Amendment #1/#1 CARRIED by a roll call vote of 12 yeas; 1 nay. Subsequently, the Motion to Refer both ordinances, as Amended, CARRIED by a roll call vote of 12 yeas; 1 nay.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (3)**  
**YOLANDA ADREAN, CHAIR**

**ITEMS REMOVED FROM CONSENT AGENDA II (CONT'D)**

10-O-0739 ( 1)  
(Cont'd)      **Note: Councilmember Michael Bond stated for the record his abstention to Ordinances 10-O-0739 and 10-O-0740 was due to a potential conflict of interest.**

**RERERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY**

10-O-0740 ( 2)      An Ordinance by **Finance/Executive Committee** Adopting the FY'11 Capital, Special Revenue and Fiduciary Funds, for the City of Atlanta; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore. Chairperson Adrean then sounded the caption to Ordinance 10-O-0739 and Council President Pro Tempore Howard Shook sounded the caption to Ordinance 10-O-0740. After which, Chairperson Adrean made a Motion to Refer both Ordinances to the Finance/Executive committee. However, Councilmember Moore was recognized and made a Substitute Motion to File 10-O-0739 and 10-O-0740. It was Seconded by Councilmembers Archibong and Martin. An extensive discussion ensued, during which, Councilmember Shook Called The Question. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 2 nays. The Motion to File was then CARRIED and FAILED by a roll call vote of 2 yeas; 10 nays; 1 abstention. Another discussion ensued, in which, Councilmember Martin offered Amendment #1/#1 to both ordinances by attaching the budget document to Ordinance 10-O-0739 and attaching the Special Revenue Funds document to Ordinance 10-O-0740. It was Seconded by Councilmember Hall and Martin Amendment #1/#1 CARRIED by a roll call vote of 12 yeas; 1 nay. Subsequently, the Motion to Refer both ordinances, as Amended, CARRIED by a roll call vote of 12 yeas; 1 nay.**

**Note: Councilmember Michael Bond stated for the record his abstention to Ordinances 10-O-0739 and 10-O-0740 was due to a potential conflict of interest.**

**RERERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY**

## **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/REFERRED**

- 10-R-0888 ( 1) A Resolution by **Full Council** appointing Councilmembers Felicia A. Moore and Alex Wan to the two positions on the Budget Commission to be filled by two members of the governing body nominated and confirmed by the governing body at large for one year terms for the purpose of performing the duties and responsibilities of the commission in connection with the FY 2011 Budget for the City of Atlanta; and for other purposes.

**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

- 10-R-0891 ( 2) A Resolution by **Councilmembers Joyce M. Sheperd, Carla Smith, Keisha Bottoms, Alex Wan, Kwanza Hall, Felicia A. Moore, Ivory Lee Young, Jr., C. T. Martin and H. Lamar Willis** to support the City of Atlanta's participation in the National League of Cities' free "Prescription Discount Card" Program; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

**ORDINANCES/REFERRED**

- 10-O-0889 ( 1) An Ordinance by **Councilmember Michael Bond** to return to the Georgia Department of Transportation certain red light camera revenues collected by the City totaling Thirty Four Thousand Six Hundred Sixty Two Dollars and Fifty Cents (\$34,662.50) pursuant to the provisions of Article 3 (Entitled "Traffic—Control Signal Monitoring Devices") of Chapter Fourteen of Title 40 of the Georgia Code; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

- 10-O-0890 ( 2) An Ordinance by **Councilmembers Joyce M. Sheperd and Carla Smith** authorizing the Mayor, on behalf of the City, to enter into and execute a lease with Georgia Film and Television Center, LLC for certain city owned property at the Lakewood Fairgrounds; and to waive City Code Section 2-1547 (e) regarding the leasing of city owned real property for purposes of entering the lease; and to deposit revenue from said lease into the account number set forth below; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**



Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 10-O-0892 ( 3)      An Ordinance by Councilmembers **Kwanza Hall, Joyce M. Sheperd, Michael Bond, Aaron Watson, Keisha Bottoms, Natalyn Archibong, Yolanda Adrean, Ivory Lee Young, Jr. and H. Lamar Willis** to authorize a 30-day moratorium on the provision of parking meter enforcement and installation conducted pursuant to FC-4877 parking management services, on public streets within the City of Atlanta; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**
- 10-O-0893 ( 4)      An Ordinance by Councilmembers **Felicia A. Moore, Michael Bond, C. T. Martin, Yolanda Adrean, Aaron Watson, Joyce M. Sheperd, Ivory Lee Young, Jr., Howard Shook, H. Lamar Willis, Keisha Bottoms, Alex Wan and Kwanza Hall** to amend the City of Atlanta Code of Ordinances Section 2-343, copy of proposed budget furnished to Councilmembers prior to submission for adoption, so as to specifically identify the day and time that a complete detailed written copy of the proposed annual budget is provided to Council prior to submission to Council by the Mayor for adoption; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

**Council President Ceasar C. Mitchell Presided**

**ADJOURNMENT**

There being no further business to discuss, the May 03, 2010 meeting of the Atlanta City Council was adjourned at 6:38 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (14).**